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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 CURTIS J. WILLIAMS,

11 Plaintiff,

No. CIV S-05-0164 DFL EFB P

12 vs.

13 R. W. SANDHAM, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a prisoner without counsel seeking relief for civil rights violations. *See* 42
17 U.S.C. § 1983. He has filed a request for appointment of counsel.

18 In proceedings that do not threaten a litigant with loss of physical liberty, there
19 presumptively is no right to appointed counsel. *Lassiter v. Department of Social Services*, 452
20 U.S. 18, 26-27 (1981). The court has discretion in determining whether to seek counsel to
21 represent an indigent civil litigant. 28 U.S.C. § 1915(e)(1); *Mallard v. District Court*, 490 U.S.
22 296 (1989). In deciding whether to appoint counsel, the court exercises discretion governed by a
23 number of factors, including the likelihood of success on the merits and the applicant's ability to
24 present his claims in light of their complexity. *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir.
25 1983); *see also, LaMere v. Risley*, 827 F.2d 622, 626 (9th Cir. 1987).

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1 Plaintiff alleges defendants were deliberately indifferent to his serious medical needs.
2 Given that the law is well settled and plaintiff's claims are not complex, plaintiff articulates his
3 claims well.

4 Accordingly, it is ORDERED that plaintiff's September 11, 2006, motion for
5 appointment of counsel is denied.

6 Dated: November 15, 2006.

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9 EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE